

REMARKS

Claims 8-12 and 15-19 are pending.

In paragraph 3 on page 5 of the Office Action, claims 8-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Day in view of Chowdhury, DeMoney Katinsky.

Applicant respectfully traverses the rejection.

Independent claim 8 sets forth a session manager, for interacting with the subscriber equipment and maintaining a plurality of play lists, wherein each playlist is associated with a respective subscriber, the playlist defining a plurality of content streams to be provided to the subscriber equipment, the playlist further identifying reverse and fast-forward streams associated with each one of the plurality of content streams, each content stream comprising a plurality of splicing entry and exit points dispersed therein to enable transitioning between the plurality of content streams, wherein the splicing entry and exit points are identified within transport packet headers of each one of the plurality of content streams. A server is provided for storing content streams and a server controller retrieves from the server, content streams defined by the playlist, wherein the content streams are sequentially provided to the subscriber equipment. The server controller, in response to a remaining portion of a current content stream being provided to the subscriber equipment being below a threshold, communicates a termination notification to the session manager. The session manager, in response to the termination notification, communicates to the server controller an indication of a next content stream to be provided to the subscriber equipment. The session manager modifies the playlist in response to playlist modification commands received from the subscriber equipment,

wherein a next content stream in the playlist is spliced at an entry point associated with an exit point of a current content stream being provided to the subscriber equipment.

Independent claim 16 includes similar language.

Day fails to disclose, teach or suggest a session manager that maintains a plurality of play lists, wherein each playlist is associated with a respective subscriber. Rather, Day merely discloses a user may select a plurality of video files and once all of the video files have the same operating characteristics, a playlist is prepared. However, Day does not indicate that the playlist is maintained for the subscriber or that any information is maintained that would allow the subscriber to access the playlist at a different time. In addition, Day does not mention that multiple playlists may be maintained, wherein each playlist is associated with a respective subscriber.

Day also fails to disclose, teach or suggest that each content stream includes a plurality of splicing entry and exit points identified within transport packet headers. The Office Action admits that Day fails to suggest a plurality of splicing entry and exit points identified within transport packet headers and relies on DeMoney to supply this teaching. DeMoney will be address below.

Day further fails to communicate a termination notification to the session manager when a remaining portion of a current content stream provided to the subscriber equipment falls below a threshold. The Office Action admits that Day fails to suggest communicating a termination notification to the session manager when a remaining portion of a current content stream provided to the subscriber equipment falls below a threshold. The Office Action relies on Chowdhury to supply this teaching. Chowdhury will be address below.

Thus, Day fails to disclose, teach or suggest the invention as defined in independent claims 8 and 16.

Chowdhury fails to overcome the deficiencies of Day. Chowdhury is merely cited as disclosing communicating a termination notification. However, Chowdhury only discloses IOCTL commands, one of which is the IOCTL(CTL.sub.-- QUEUE, FILE INFORMATION) call. The "Queue" call is used to specify a video file that is to be transferred at the completion of the current video file transfer. "File information" is used to specify the file that is to be transferred at the completion of the current file transfer. During the transfer of the current video file, the next video file is queued, and when the file is complete, the queued file is transferred.

However, Chowdhury fails to suggest communicating a termination notification to the session manager. In addition, Chowdhury fails to suggest determining when a remaining portion of a current content stream provided to the subscriber equipment falls below a threshold so that a termination notification may be communicated to the session manager.

Thus, Day and Chowdhury, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 8 and 16.

DeMoney fails to overcome the deficiencies of Day and Chowdhury. DeMoney is merely cited as disclosing modifying the playlist in response to playlist modification commands. However, DeMoney discloses that server 50 maps the presentation timestamps to a "normal play time" (NPT) standard. Server 50 defines a multimedia index based on the concept of NPT that can be associated with a "position" within a multimedia title. According to DeMoney, index look-up tables can be generated using

the MPEG presentation timestamps from the sequence headers of the normal play stream.

In other words, DeMoney switches to a trick play, e.g., fast forward stream, by identifying the timestamp of the current content when the command is given and switching to an equivalent timestamp in the fast forward stream.

Thus, DeMoney fails to disclose, teach or suggest that each content stream includes a plurality of splicing entry and exit points identified within transport packet headers. Rather, the different streams are just indexed against each other. DeMoney is silent regarding the specific identification of entry and exit points within content streams.

Thus, Day, Chowdhury and DeMoney, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 8 and 16.

Katinsky fails to overcome the deficiencies of Day, Chowdhury and DeMoney. Rather, Katinsky is merely cited as disclosing the ability to modify a playlist. However, Katinsky fails to disclose, teach or suggest a session manager that maintains a plurality of play lists, wherein each playlist is associated with a respective subscriber. Katinsky also fails to disclose, teach or suggest that each content stream includes a plurality of splicing entry and exit points identified within transport packet headers. Katinsky further fails to communicate a termination notification to the session manager when a remaining portion of a current content stream provided to the subscriber equipment falls below a threshold.

Thus, Day, Chowdhury, DeMoney and Katinsky, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claims 8 and 16.

Dependent claims 9-12, 15 and 17-19 are also patentable over the references, because they incorporate all of the limitations of the corresponding independent claims 8 and 16, respectively. Further dependent claims 9-12, 15 and 17-19 recite additional novel

elements and limitations. Applicant reserves the right to argue independently the patentability of these additional novel aspects. Therefore, Applicant respectfully submits that dependent claims 9-12, 15 and 17-19 are patentable over the cited references.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 865-380-5976. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 13-2725 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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